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DE RUEHKL #0398/01 0640135
ZNR UUUUU ZZH
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FM AMEMBASSY KUALA LUMPUR
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8654
INFO RUEHBK/AMEMBASSY BANGKOK PRIORITY 2830
RUEHBJ/AMEMBASSY BEIJING PRIORITY 2290
RUEHKA/AMEMBASSY DHAKA PRIORITY 0363
RUEHHI/AMEMBASSY HANOI PRIORITY 0786
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 0275
RUEHJA/AMEMBASSY JAKARTA PRIORITY 1620
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 0065
RUEHLO/AMEMBASSY LONDON PRIORITY 0310
RUEHML/AMEMBASSY MANILA PRIORITY 2433
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 0684
RUEHPF/AMEMBASSY PHNOM PENH PRIORITY 0314
RUEHGO/AMEMBASSY RANGOON PRIORITY 0039
RUEHHM/AMCONSUL HO CHI MINH CITY PRIORITY 0019
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RUEHC/DEPT OF LABOR WASHDC PRIORITY
RUEATRS/DEPT OF TREASURY WASH DC PRIORITY
RHEFHLC/HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY

UNCLAS SECTION 01 OF 14 KUALA LUMPUR 000398

SIPDIS

SENSITIVE
SIPDIS

DEPT FOR G/TIP, G, INL, INL, DRL, PRM, IWI, EAP/RSP
STATE PLEASE PASS TO USAID

E.O. 12958: N/A

TAGS: [PHUM](#) [KCRM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#) [MY](#)
SUBJECT: MALAYSIA'S SEVENTH ANNUAL TRAFFICKING IN PERSONS
REPORT

REF: A. 06 KUALA LUMPUR 2297

- [1](#)B. 06 STATE 144327
- [1](#)C. 06 STATE 202745
- [1](#)D. HO CHI MINH CITY 90
- [1](#)E. 06 KUALA LUMPUR 2035
- [1](#)F. 06 KUALA LUMPUR 1804

[1](#)1. (SBU) SUMMARY AND INTRODUCTION: Malaysia is a destination, and to a far lesser extent, a transit and source country for adults and minors trafficked for the purposes of forced labor and sexual exploitation. The overwhelming majority of victims come to Malaysia seeking greater economic opportunities as domestic servants and unskilled laborers, but fall victim to employment agents, smugglers and traffickers that supply migrant laborers and prostitutes in Malaysia. Trafficking in Malaysia is a regional problem driven by economics. Migrant workers from Indonesia, Nepal, India, Thailand, China, the Philippines, Burma, Cambodia, Bangladesh, Pakistan and Vietnam account for nearly all of Malaysia's trafficking victims.

[1](#)2. (SBU) There are no reliable statistics revealing the total number of trafficking victims in Malaysia. The Royal Malaysian Police (RMP), foreign embassies and NGO's report that in 2006, at least 600 female victims were rescued from the commercial sex trade. There are no statistics on the number of victims, male or female, working under trafficking conditions in the domestic, construction, and agricultural labor fields. Anecdotal evidence indicates the number of victims in forced labor conditions exceeds the number of victims trafficked for the purposes of prostitution.

[1](#)3. (SBU) The Government of Malaysia (GOM) recognizes that trafficking for the purposes of sexual exploitation is a problem and has taken the first steps to address the issue. The Malaysian Attorney General's Office reports it has a second draft of a comprehensive anti-trafficking law and will

submit the law to the cabinet's Anti-TIP Working Group in March. The GOM has drafted the legislation to bring Malaysia into substantial compliance with the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women, with eventual intent to accede to the Protocol.

¶4. (SBU) The GOM should further move to finalize and enact its comprehensive anti-trafficking legislation, ensuring that the law recognizes all forms of trafficking in persons, and provides shelter, counseling and repatriation assistance to male and female victims. The government should systematically screen foreign prostitutes and undocumented workers to identify and protect foreign trafficking victims. The government should fulfill its commitment to protect foreign victims of trafficking by opening much needed shelters. Over the longer term, the government should eliminate debt-bondage as a form of labor contracting, and should enforce its own laws on the confiscation of passports by employers as a method of controlling and limiting the freedom of movement of migrant laborers. The GOM should foster better cooperation between police, immigration and prosecutors to investigate, arrest, charge and prosecute traffickers. The GOM should stop relying on the Emergency Ordinance, Restricted Residence and Internal Security Acts to detain traffickers without trial, but should ensure the new anti-trafficking law provides comprehensive sentencing guidelines and punishments for trafficking offenses.

¶5. (SBU) The government of Malaysia does not comply with the minimum standards for the elimination of trafficking in persons as prescribed in the Trafficking Victims Protection Act of 2000 (as amended). The government of Malaysia has partially addressed the recommendations under the short-term

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